

# **EXHIBIT 5**

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**From:** Cotton, Chris (SHB) <CCOTTON@shb.com>  
**Sent:** Thursday, August 21, 2025 6:23 PM  
**To:** sadi@kherkhergarcia.com; schulte@fnlawfirm.com; Douglas Grubbs;  
wlevin@levinsimes.com; llsimes@levinsimes.com; rabrams@peifferwolf.com;  
luhana@chaffinluhana.com; slondon@girardsharp.com; akaufman@girardsharp.com;  
ecabraser@lchb.com  
**Cc:** Fournier, Kristen  
**Subject:** RE: Uber MDL: Request for Meet and Confer this Week  
**Attachments:** Letter to Counsel - August 19, 2025.pdf

Counsel,

I still have not received any response to my several requests to meet and confer regarding the following cases in which plaintiffs have not submitted bona fide receipts as required by PTO #5.

Levin Simes LLP - MDL ID 1199  
Kherker Garcia - MDL ID 2774  
Nachawati Law Group - MDL 1507

This is now my fourth request to plaintiffs' counsel in these cases to meet and confer. I will schedule a call for tomorrow at 11:30 AM Pacific to discuss these cases. If you would prefer to speak at a different time tomorrow, please let me know your availability. To the extent the issues in these cases are not resolved tomorrow, Uber intends to file a motion to dismiss with prejudice these cases, the three cases filed by the Pulaski firm referenced in the attached letter (which I have separately already discussed with that firm), and MDLC 1384.

Chris

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**From:** Cotton, Chris (SHB) <CCOTTON@shb.com>  
**Sent:** Thursday, August 21, 2025 10:27 AM  
**To:** sadi@kherkhergarcia.com; schulte@fnlawfirm.com; Douglas Grubbs <dgrubbs@pulaskilawfirm.com>;  
wlevin@levinsimes.com; llsimes@levinsimes.com; rabrams@peifferwolf.com; luhana@chaffinluhana.com;  
slondon@girardsharp.com; akaufman@girardsharp.com; ecabraser@lchb.com  
**Cc:** Fournier, Kristen <kristen.fournier@kirkland.com>  
**Subject:** RE: Uber MDL: Request for Meet and Confer this Week

Counsel,

I'm following up again because I have not heard back from the following firms:

Levin Simes LLP - MDL ID 1199  
Peiffer Wolf - MDL ID 13841  
Kherker Garcia - MDL ID 27742  
Nachawati Law Group - MDL 15073

Please let me know your availability today to meet and confer regarding the noted plaintiffs who have not submitted bona fide receipts as required by PTO #5.

Thanks.

Chris

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**From:** Cotton, Chris (SHB) <[CCOTTON@shb.com](mailto:CCOTTON@shb.com)>

**Sent:** Wednesday, August 20, 2025 2:54 PM

**To:** [sadi@kherkhergarcia.com](mailto:sadi@kherkhergarcia.com); [schulte@fnlawfirm.com](mailto:schulte@fnlawfirm.com); Douglas Grubbs <[dgrubbs@pulaskilawfirm.com](mailto:dgrubbs@pulaskilawfirm.com)>; [wlevin@levinsimes.com](mailto:wlevin@levinsimes.com); [llsimes@levinsimes.com](mailto:llsimes@levinsimes.com); [rabraams@peifferwolf.com](mailto:rabraams@peifferwolf.com); [luhana@chaffinluhana.com](mailto:luhana@chaffinluhana.com); [slondon@girardsharp.com](mailto:slondon@girardsharp.com); [akaufman@girardsharp.com](mailto:akaufman@girardsharp.com); [ecabraser@lchb.com](mailto:ecabraser@lchb.com)

**Cc:** Fournier, Kristen <[kristen.fournier@kirkland.com](mailto:kristen.fournier@kirkland.com)>

**Subject:** RE: Uber MDL: Request for Meet and Confer this Week

Counsel,

I haven't received a response to my request below to meet and confer regarding the plaintiffs referenced in the attached letter that have not submitted a bona fide ride receipt as required by PTO #5. Please let me know your availability tomorrow to discuss.

Thanks.

Chris

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**From:** Cotton, Chris (SHB) <[CCOTTON@shb.com](mailto:CCOTTON@shb.com)>

**Sent:** Tuesday, August 19, 2025 3:21 PM

**To:** [sadi@kherkhergarcia.com](mailto:sadi@kherkhergarcia.com); [schulte@fnlawfirm.com](mailto:schulte@fnlawfirm.com); Douglas Grubbs <[dgrubbs@pulaskilawfirm.com](mailto:dgrubbs@pulaskilawfirm.com)>; [wlevin@levinsimes.com](mailto:wlevin@levinsimes.com); [llsimes@levinsimes.com](mailto:llsimes@levinsimes.com); [rabraams@peifferwolf.com](mailto:rabraams@peifferwolf.com); [luhana@chaffinluhana.com](mailto:luhana@chaffinluhana.com); [slondon@girardsharp.com](mailto:slondon@girardsharp.com); [akaufman@girardsharp.com](mailto:akaufman@girardsharp.com); [ecabraser@lchb.com](mailto:ecabraser@lchb.com)

**Cc:** Fournier, Kristen <[kristen.fournier@kirkland.com](mailto:kristen.fournier@kirkland.com)>

**Subject:** Uber MDL: Request for Meet and Confer this Week

Counsel,

Please see the attached letter and let me know your availability this week to meet and confer with respect to the cases referenced in the letter. The noted plaintiffs have not provided a bona fide ride receipt as required by PTO #5 and should be dismissed with prejudice.

Thanks.

Chris

**Christopher V. Cotton**

*Partner*

Shook, Hardy & Bacon L.L.P.

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